

Mark D. Eibert (Bar # 116570)
Attorney at Law
P. O. Box 1126
Half Moon Bay, CA 94019-1126
Telephone: (650) 638-2380
Fax: (650) 712-8377

Attorney for: Defendant Oscar Martinez

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

OSCAR MARTINEZ,

Defendant.

CR NO. 05-00734 RMW

JOINT STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING SENTENCING
DATE

Defendant Oscar Martinez, through his attorney, and the United States, through its attorney, hereby stipulate and agree and move the Court to continue the sentencing of the defendant from its current date of December 11, 2006 to a new date of February 5, 2007 at 9 a.m. The reason for the continuance is that Mr. Martinez is currently out of the country and unable to appear on December 11. Efforts are being made to arrange for his return and appearance before the Court.

Dated: December 5, 2006

Respectfully submitted,

/s/ Mark D. Eibert

MARK D. EIBERT

STIPULATION AND ~~PROPOSED~~ ORDER TO CONTINUE SENTENCING, U.S. V. OSCAR MARTINEZ, CR NO. 05-

Attorney for Defendant Oscar Martinez

Respectfully submitted,

/s/ Mark Krotoski

MARK KROTOSKI

Attorney for the Government

ORDER

Good cause appearing therefore, it is hereby ORDERED that the sentencing for defendant Oscar Martinez shall be continued until February 5, 2007 at 9 a.m.

Dated: December 8th, 2006

/s/ Ronald M. Whyte

UNITED STATES DISTRICT JUDGE